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March 29, 2021

Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

RE: United States v. Constantinescu
19 Cr. 651 (LTS)

Dear Judge Swain,

We represent Ionela Constantinescu in the above referenced-matter and write in reply to the government's objection (Dkt. 554) to relaxing Ms. Constantinescu's pretrial release conditions to remove the location monitoring device that is causing her problems at her job.

The government opposes the removal of the condition, asserting that Ms. Constantinescu is a flight risk and that the safety of the community is ensured by the deterrent effect of the monitor.

Ms. Constantinescu is highly involved in her case and the review of the discovery. The awesome power of the federal government is quite clear to her from the 1000's of hours of wiretaps and recordings and videos. The addition of a digital ball and chain is not required.

Ms. Constantinescu is not a flight risk. What her husband said on a call to someone else should not be attributed to her. Indeed, what is most telling about the two incidents the government cites is what Ms. Constantinescu did not allow to have happen. Ms. Constantinescu ensured that her children were registered. Additionally, after being abused by her husband, she took a stand and refused to leave the country. She wanted to stay her with her children and continue to try to give them the best life possible, which she views as being in the United States.

The government points out that "pretrial release is not a post-custody release program designed to focus on rehabilitation and on assisting individuals in adjusting to

society.” Dkt. 554 at 2. This fact is evident. However, despite the lack of any assistance, Ms. Constantinescu has excelled under the stressful conditions of these charges, her pretrial release conditions and the pandemic and has obtained employment while checking in and showing up with her pretrial officer as required every single time. We do not request that her pretrial release actually help her, only that the conditions be reasonably adjusted to not hinder her from helping herself and being a contributing member of society.

Of all the parties, the pretrial services officer is uniquely equipped and experienced to assess this request. They have no objection to this request.

Thank you for your consideration.

Respectfully,

_____/S/_____
Jacob Mitchell
Ezra Spilke
Counsel for Ionela Constantinescu

The Court having considered the parties' respective submissions, the defendant's consistent behavior under supervision and the PTSO's assent to the requested modification, the modification request is granted. DE# 551, 556 resolved.
SO ORDERED.
3/30/2021
/s/ Laura Taylor Swain, USDJ